

**SOUTH DAKOTA DEPARTMENT OF EDUCATION  
SPECIAL EDUCATION PROGRAMS**

**Brandon Valley School District  
Continuous Improvement Monitoring Process Report 2003-2004**

**Team Members:** Linda Shirley, Penny McCormick-Gilles, Barb Boltjes, Chris Sargent, Rita Pettigrew, Education Specialists; Jan Elsing, Education Program Representative.

**Dates of On Site Visit:** September 22-23, 2003

**Date of Report:** October 6, 2003

---

This report contains the results of the steering committee's self-assessment and the validation of the self-assessment by the Special Education Programs. The report addresses six principles – General Supervision, Free Appropriate Public Education, Appropriate Evaluation, Procedural Safeguards, Individualized Education Program and Least Restrictive Environment. Each principle is rated based on the following scale:

<b>Promising Practice</b>	The district/agency exceeds this requirement through the implementation of innovative, high-quality programming and instructional practices.
<b>Meets Requirements</b>	The district/agency consistently meets this requirement.
<b>Needs Improvement</b>	The district/agency has met this requirement but has identified areas of weakness that left unaddressed may result in non-compliance.
<b>Out of Compliance</b>	The district/agency consistently does not meet this requirement.
<b>Not applicable</b>	In a small number of cases, the standard may not be applicable for your district/agency. If an item is not applicable, the steering committee should briefly explain why the item is NA. Example – no private schools within the district boundaries.

---

<b>Principle 1 – General Supervision</b>
--

General supervision means the school district's administrative responsibilities to ensure federal and state regulations are implemented and a free appropriate public education is provided for each eligible child with a disability. The specific areas addressed in principle one are child find, referral procedures, children voluntarily enrolled by parents in private schools, students placed by the school district, improving results through performance goals and indicators (assessment, drop out, graduation), professional development, suspension and expulsion rates.

**Steering Committee Self-Assessment Summary**

Data sources used:

- District/Agency Instructional Staff Information
- Suspension and Expulsion Information
- Statewide Assessment Information
- Enrollment Information
- Placement Alternatives

- Disabling Conditions
- Exiting Information
- Parent Survey
- Referrals
- Publications of child find notices
- Comprehensive plan
- Yearly child find results
- Surveys
- File reviews
- Private school information
- Child count data
- SIMS
- IEPs
- Budget
- Workshops and in-services
- Area training/TTL
- Staff development
- Board policies
- District newsletter (UpFront)

### **Promising practice**

The steering committee concluded that the Brandon Valley School District has identified systems for receiving documented referrals. The school district has surveyed groups involved in the child find activities and reviewed files. The school district has policies and procedures which address this issue.

The Brandon Valley School District meets the needs of all students in the referral process. The district has a teacher assistance team which meets to help students for pre-referral assistance. Frequently, the interventions implemented in the general classroom are successful and a referral is not needed.

### **Meets requirements**

The Brandon Valley steering committee concluded that the district has no private schools within its jurisdiction. In the Brandon Valley School District, no significant discrepancies are occurring between students with disabilities and students without disabilities in regards to suspension and expulsion rates. The district had no students with disabilities drop out of school during the 1999-2000 or 2000-2001 school years.

The Brandon Valley School District employs and supervises only fully certified personnel to work with children with disabilities. All personnel have many opportunities for on-going training to meet the needs of their students.

The Brandon Valley School District ensures special education and related services are provided in accordance with the federal and state laws. All students and their parents are afforded their rights no matter if they attend a private school or facility or a public school.

The district uses relevant school data to analyze and review their progress toward the state performance goals and indicators. All teachers, including special education teachers, are involved in reviewing and analyzing data to help them realize where the students' scores are in relation to the advanced and proficiency levels of accountability.

Seventy-five percent (75%) of the regular and special education personnel surveyed reported they have received adequate training and information to implement each student's IEP. Eighty percent (80%) of respondents reported they have the opportunity to participate in staff development and training activities.

## **Validation Results**

### **Promising practice**

The review team validates that the Brandon Valley School District has a teacher assistance team which meets to help students for pre-referral assistance. The team process has successfully addressed student instructional needs and reduced referrals to special education by 50%. A psychologist and parent are at all TAT meetings.

The team also found through observation that the school district has excellent school and community cooperation in utilizing their facilities. An employee is hired by the district to coordinate city-school activities. Facilities available include the library, amphitheater, and auditorium. There are three fully equipped computer labs available to teachers and students.

The team also found through observation and interviews that the district makes available a variety of sources to address individual reading and math instruction for all students. Included are programs such as Framework, Boys Town Reading Program, Success Maker, and the Sunday Program.

The district takes advantage of the many programs available to meet educational needs of students. Students who have difficulty “fitting in” to the school setting have program options such as High Impact, Career Academy, Joe Foss, Turning Point and GED.

The team agrees the district has identified systems for receiving documented referrals; however this is a mandated requirement and is not considered a promising practice.

### **Meets requirements**

The review team agrees with all areas identified by the steering committee as meeting requirements for general supervision. The team also found the Brandon Valley School District has identified systems for receiving documented referrals.

## **Principle 2 – Free Appropriate Public Education**

All eligible children with disabilities are entitled to a free appropriate public education in the least restrictive environment. The specific areas addressed in principle two are the provision of FAPE to children residing in group homes, foster homes, or institutions, making FAPE available when a child reaches his/her 3<sup>rd</sup> birthday and providing FAPE to eligible children with disabilities who have been suspended or expelled from school for more than 10 cumulative days.

## **Steering Committee Self-Assessment Summary**

Data sources used:

- State Tables E, F, K, L, M, N
- Number of students screened
- Preschool age
- School age
- Budget information
- Surveys
- Age at referral
- Personnel training and staff development

- Comprehensive plan

### **Promising practice**

The steering committee concluded that the district has had no suspensions or expulsions of a student with disabilities for more than ten accumulated school days; therefore all students with disabilities have been provided FAPE.

### **Meets requirements**

The steering committee concluded that the district's current practices and past reviews from the state special education monitoring team demonstrate the Brandon Valley School District provides a FAPE for all children with disabilities who reside within the boundaries of the district.

## **Validation Results**

### **Promising Practice**

The provision of FAPE is a requirement; therefore, the team was not able to validate the district having no suspensions/expulsions as a promising practice.

### **Meets requirements**

The review team agrees with all areas identified by the steering committee as meeting the requirements in the area of free appropriate public education, including the Brandon Valley School District has had no suspensions or expulsions of a student with disabilities for more than ten (10) accumulated school days; therefore all students with disabilities have been provided FAPE.

## **Principle 3 – Appropriate Evaluation**

A comprehensive evaluation is conducted by a team of knowledgeable staff, which also includes parental input. A valid and reliable evaluation will result in effective individualized education programs for eligible students. The specific areas addressed in principle three are written notice and consent for evaluation, evaluation procedures and instruments, eligibility determination, reevaluation and continuing eligibility.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- Teacher file reviews
- Prior notice
- Telephone log
- Evaluation report
- Exit and re-entry into special education
- Number of placement committee overrides
- Surveys
- General curriculum information
- Comprehensive plan
- Initial referral log
- Needs assessment information

- Personnel training
- Budget information
- List of tests currently used in the district (date of publication)
- List of out of district testing services used by the district
- List of languages represented in the district (includes sign language and Braille)
- List of interpreters/signers used in the district
- Personnel with designated certification

### **Meets requirements**

The steering committee concluded that the Brandon Valley School District ensures a team of knowledgeable staff who gather parental input into the evaluation process to conduct comprehensive evaluations. The school district uses valid and reliable assessment instruments, including functional assessments, to identify those children in need of special education and related services. File reviews indicate that the district is providing appropriate written notice and obtaining informed consent from parents before assessments are administered. Ninety-three percent of the parent surveys and eighty-six percent of the file reviews indicate, by parent initials, that copy of evaluation results were received, which includes documentation of eligibility determination. The district has identified policies and procedures for proper reevaluation requirements. All procedural requirements are adhered to in accordance with state and federal laws. The district uses reevaluation procedures to ensure that students are appropriately evaluated at least every three years to determine continued eligibility.

### **Needs improvement**

The steering committee identified areas that need improvement. The first is the majority of evaluations were completed within the required timeline, but some of them were not.

The Brandon Valley School District uses reevaluation procedures to ensure that students are appropriately evaluated at least every three years to determine continued eligibility. High school students did not always receive a functional assessment as a part of their reevaluation.

## **Validation Results**

### **Meets requirements**

The review team validates that the Brandon Valley School District is providing appropriate written notice and obtaining informed consent from parents before assessments are administered. Copies of evaluations are received by the parents.

Other areas identified by the steering committee as meeting the requirements were not validated by the review team.

### **Needs improvement**

The review team validates the area identified by the steering committee as needing improvement. The majority of evaluations were completed within the required timelines, but some were not.

### **Out of compliance**

#### **ARSD 24:05:04:02. Determination of needed evaluation data**

A team of individuals, including input from the student's parents, determines what evaluation data is needed to support eligibility and the child's special education needs. Through interview and file reviews, the monitoring team found that the staff does not consistently implement a procedure for documenting parental input. No evidence of parent input into the evaluation process was available in a review of 32 files.

#### **ARSD 24:05:25:04, Evaluation procedures**

School districts shall ensure, at a minimum, a child is assessed in all areas related to the suspected disability and those evaluation procedures include a variety of assessment tools and strategies to gather relevant functional and developmental information about the child. There was no evidence of functional assessment into the evaluation process in a review of 27 files.

#### **Issues requiring immediate attention**

The following ARSD 24:05:25:04 requires immediate attention.

#### **ARSD 24:05:25:04-Evaluation Procedures**

Two students qualified for special education services under the category of orthopedic impairment. During the last reevaluation process, neither of these students had a comprehensive evaluation completed. Both students were given an evaluation by the physical therapist alone to determine eligibility. There was no information pulled forward from past evaluations. The district must reconvene the student's IEP committee and determine what if any additional evaluation data is needed to determine eligibility for special education or special education and related services. Notice must be given to parents and their input also determines what evaluation data is needed to support eligibility and the child's special education needs.

To qualify for special education under the category of orthopedic impairment there must be evidence of the following:

The student's impaired motor functioning significantly interferes with educational performance; that the student exhibits deficits in muscular or neuromuscular functioning that significantly limits the student's ability to move about, sit, or manipulate materials required for learning; that the student's bone, joint, or muscle problems affect ambulation, posture, or gross and fine motor skills; and that current medical data by a qualified medical evaluator describes and confirms the orthopedic impairment. The evaluation must be comprehensive enough to identify all of the student's special education or related service needs. More than one evaluation tool should be utilized in making eligibility determinations, unless the evaluation team has determined no further evaluations are necessary. A team of evaluators need to be involved in these assessments.

### **Principle 4 – Procedural Safeguards**

Parents of children with disabilities have certain rights available. The school makes parents aware of these rights and makes sure they are understood. The specific areas addressed in principle four are adult student/transfer of rights, content of rights, consent, written notice, confidentiality and access to records, independent educational evaluation (IEE), complaint procedures, and due process hearings.

#### **Steering Committee Self-Assessment Summary**

Data sources used:

- State Table L and M
- Parental rights document
- Consent and prior notice forms
- Public awareness information
- FERPA disclosure
- Comprehensive plan
- District surrogate letter

- Surveys
- File reviews
- School newsletters

### **Meets requirements**

The steering committee concluded that one hundred percent (100%) of the parents surveyed agreed that they are informed of their parent rights.

The district's comprehensive plan outlines all requirements on the issue of surrogate parents. The district has followed these procedures for the appointment of surrogate parents, when needed.

Parents have been fully informed in their native language or another mode of communication of all information relevant to the activity for which consent is sought. Consent was received for extended school year in all files reviewed.

The district's comprehensive plan outlines the procedures for the maintenance of special education records. Parents are informed of their rights through the distribution of the parent rights brochure which is included in all written prior notices of meetings and when consent is sought for evaluation.

The Brandon Valley School District has policies and procedures outlined in its comprehensive plan for responding to complaints.

The district has not had a request for a due process hearing within the past 12 years and only needed mediation once within this same time period. All procedures for due process are addressed in the district's comprehensive plan.

## **Validation Results**

### **Meets requirements**

The review team agrees with all areas identified by the steering committee as meeting the requirements.

## **Principle 5 – Individualized Education Program**

The Individualized Education Program (IEP) is a written document for a child with a disability that is developed, reviewed and revised by the IEP team, which includes the parent. The specific areas addressed in principle five are IEP team, IEP content, transition components for secondary IEPs, annual reviews, transition from early intervention program, and IEP related issues.

## **Steering Committee Self-Assessment Summary**

Data sources used:

- Comprehensive plan
- File reviews
- Student progress data
- Personnel training
- Budget information
- State Tables K and N
- Surveys
- Complaints
- IEP's

### **Meets requirements**

The steering committee determined the district has policies and procedures in place for the provision of an appropriate IEP team. One hundred percent (100%) of files reviewed showed appropriate team members in attendance at all meetings. Also, one hundred percent (100%) of the files reviewed indicated the annual IEP review was completed within one year of the previous IEP.

The school district's written prior notice form includes the required content and is sent to parents five days prior to the meeting unless the parent waives the five-day notice requirement.

The district's IEP form includes all of the required content. Files reviewed included documentation of functional assessment and were linked to the annual goals. In two of six high school files reviewed, parent input was not documented. At the middle school level, one of six files reviewed did not have parent input and at the elementary level, three of twenty-four files reviewed did not contain parent input. All other areas of present levels of performance were addressed. Ninety-eight percent (98%) of the files reviewed contained progress reporting content in the IEP. One hundred percent (100%) of the files reviewed indicated the special education and related services to be provided and the accommodations and/or modifications to be provided. The district's IEP form includes a projected starting date and the projected annual review date on the front page. One hundred percent (100%) of IEPs reviewed addressed student participation with non-disabled peers. One hundred percent (100%) of the files reviewed indicated the transfer of parental rights was addressed one year prior to the student turning eighteen years old. All IEPs are written based on the individual needs of each student. All files reviewed showed the graduation requirement to be addressed at least one year in advance.

One hundred percent (100%) of file reviews of students fourteen years or older included employment and living outcomes. One hundred percent (100%) of file reviews of students fourteen years or older included a course of study and one hundred percent (100%) of file reviews of students sixteen years or older included statements of needed transition services. At the IEP meeting, the needs of the student for post-secondary activities are discussed and documented on the IEP. The district actively collaborates with agencies such as Vocational Rehabilitation, the state's Adjustment Training Centers, and various post-secondary technical schools and colleges. All students in the Brandon Valley School District take the Explore test in the eighth grade. In the ninth grade, all students take the Career Interest Inventory. All sophomores are required to take a careers class in which assessments are also given. Other assessments are given on an individual, as needed basis.

The district's comprehensive plan includes policies and procedures to ensure an appropriate IEP is developed and in effect for each eligible student.

### **Needs improvement**

The steering committee identified areas of needs improvement to be that in two of six (33%) high school files reviewed, parent input was not documented. At the middle school level, one of six (17%) files reviewed did not have parent input and at the elementary level, three of twenty-four (13%) files reviewed did not contain parent input.

## **Validation Results**

### **Meets requirements**

The review team validates that the Brandon Valley School District has policies and procedures in place for the provision of an appropriate IEP team. The school district's written prior notice form includes the required content and is sent to parents five days prior to the meetings unless the parent waives the five-day requirement. The district's IEP form includes all of the required content. Progress reporting was seen in all files reviewed. All files reviewed indicated the special education and related services to be provided and the accommodations and/or modifications to be provided. All IEPs provide a starting and



ending date for services. When required, a documentation of the transfer of parental rights was found in every file reviewed. Files reviewed documented the district is addressing transition in the areas of employment and living outcomes. The district collaborates with outside agencies and various post-secondary technical schools and colleges to ensure the students transition into their field of interest.

The review team was not able to validate all the areas of transition, goals and objectives, and present levels of performance as meeting the requirements.

### **Needs improvement**

The review team agrees with the areas identified by the steering committee as needing improvement.

### **Out of compliance**

#### **ARSD 24:0527:01.03 Content of individualized education program**

A student's IEP must contain present levels of performance based upon the skill areas affected by the students identified disability. The present levels of performance are based upon the functional assessment information gathered during the comprehensive evaluation process. In fourteen out of thirty files reviewed five at the high school, six at the middle school, and three at the elementary school present levels of performance were not linked to evaluation or skill specific. For example, "\_\_\_ shows a weakness in math and reading." "\_\_\_ shows a weakness in written language." In four out of eight transition files reviewed, present levels of performance did not reflect information in the area of transition.

#### **ARSD 24:0527:13.02 Transition Services**

Transition services are a coordinated set of activities for a student, designed within an outcome-oriented process, which promotes movement from school to post-school activities. The coordinated set of activities shall be based on the individual student's needs, taking into account the student's preferences and interests, and shall include instruction, related services, community experiences, the development of employment and other post-school adult living objectives, and if appropriate, the acquisition of daily living skills and functional vocational evaluation.

In student IEPs where transition was addressed, the IEP did not consistently provide information as to who would be responsible to carry out the activities and/or goals. Seven out of eight files reviewed for transition did not show a coordinated set of activities. For example, a junior student's evaluation for post secondary stated "parents given Voc. Rehab. name for services." A junior student's IEP statement for independent living stated, "It is anticipated that \_\_\_ will be able to live independently. \_\_\_ may want to consider taking a Consumer Math or Independent Living class." There was no person listed as a responsible party for these activities and there are no dates initiated or dates completed for services on the IEP.

#### **ARSD 24:05:27:12 Graduation**

The IEP team is required to address graduation requirements one year prior to the student's graduation. The instructional program that will satisfy the district's graduation requirement should be specified in detail within the student's IEP. Four out of eight files reviewed for transition did not document detailed information for credits needed or classes. Statements were vague. For example, "\_\_\_ will receive a diploma based upon meeting the state and district requirements for graduation." "\_\_\_ will graduate when completing district requirements."

## **Principle 6 – Least Restrictive Environment**

After the IEP is developed or reviewed, the IEP team must decide where the IEP services are to be provided. Consideration begins in the general education classroom for school age students. The specific areas addressed in principle six are placement decisions, consent for initial placement, least restrictive environment procedures, preschool children, and LRE related issues.

### **Steering Committee Self-Assessment Summary**

Data sources used:

- State tables E, F,G, I, J, and N
- File reviews
- Surveys

#### **Meets requirements**

The school district has policies and procedures in place for addressing the LRE of students. Behavioral intervention plans have been written for students who require them. All placements of students are done on an individual basis by the IEP team.

### **Validation Results**

#### **Meets requirements**

The review team agrees with the steering committee's conclusion that the district meets the requirements for least restrictive environment.